

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

<p>IN RE:</p> <p>PRINCIPAL LIFE INSURANCE COMPANY, f/k/a PRINCIPAL MUTUAL LIFE INSURANCE COMPANY,</p> <p style="text-align:right">Complainant,</p> <p>vs.</p> <p>MIDAMERICAN ENERGY COMPANY,</p> <p style="text-align:right">Respondent.</p>	<p>DOCKET NO. FCU-01-3</p>
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**ORDER INITIATING FORMAL COMPLAINT PROCEEDING AND
ASSIGNING TO ADMINISTRATIVE LAW JUDGE**

(Issued January 11, 2002)

On December 21, 2001, Principal Life Insurance Company, f/k/a Principal Mutual Life Insurance Company (Principal), filed a written complaint against MidAmerican Energy Company (MidAmerican) with the Utilities Board (Board) regarding Principal's electric service rates, pursuant to Iowa Code § 476.3(1) (2001), and 199 IAC 6. Complainant alleged that MidAmerican breached its contractual obligation to Principal to provide electric service for Principal's corporate complex of buildings in Des Moines, Iowa (Corporate Campus), at the lower of the contract rate or the tariff rate. Complainant requested the Board docket its complaint as a formal complaint proceeding.

Iowa Code § 476.3(1) states that a petition to initiate a formal proceeding "shall be granted if the board determines that there is any reasonable ground for investigating the complaint." See also 199 IAC 6.5. Moreover, "the formal proceeding may be initiated at any time by the board on its own motion." Iowa Code § 476.3(1) (2001).

In reviewing this complaint, the Board finds that the Complainant raises significant issues to be resolved. The parties have been in dispute over these issues for several months with no resolution and an informal proceeding will likely not lead to a resolution. Therefore, the Board will docket the matter as a formal complaint proceeding, identified as Docket No. FCU-01-3. A response to Principal's complaint shall be submitted by the parties under this docket on or before January 18, 2002.

Pursuant to Iowa Code § 17A.11(1)"b" (2001) and 199 IAC 7.1(4), the Board will assign this matter to an administrative law judge (ALJ) for further proceedings. The ALJ will be the presiding officer at the hearing and, thereafter, will issue a proposed decision. The ALJ will issue a procedural schedule.

IT IS THEREFORE ORDERED:

1. The complaint filed by Principal Life Insurance Company, f/k/a Principal Mutual Life Insurance Company, on December 21, 2001, is docketed as a formal complaint proceeding, identified as Docket No. FCU-01-3, pursuant to Iowa Code § 476.3(1) (2001) and 199 IAC 6.5(3).

2. On or before January 18, 2002, any parties to this docket shall file response to Principal's complaint.

3. Pursuant to Iowa Code § 17A.11(1) (2001), this matter is assigned to the Board's administrative law judge (ALJ) to conduct a hearing in this matter and to issue a proposed decision.

4. The ALJ shall have the authority provided under 199 IAC 7.1(4)"a"-"j."

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 11th day of January, 2002.